

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**MOUNT HOPE CHURCH,**  
Plaintiff,

Dkt. No. 2009-CV-00427-RHB

v.

Hon. ROBERT HOLMES BELL

**BASH BACK!, D-01  
BASH BACK! LANSING, D-02  
GINA ELEYNA WERTZ, D-03  
KRISTY ELIZABETH BOUSQUET, D-04  
AMY MICHELLE FIELD, D-05  
JASON DAVID HATZ, D-06  
CAILIN ELIZABETH MAJOR, D-07  
WENDY RENAE DEBNAR, D-08  
MICHELLE NICOLE TROUTMAN, D-09  
SAMUEL D. KREUGER, D-10  
NATHAN JAMES KELLER, D-11  
ANTON BOLLEN, D-12  
DEVIN SCOTT MERGET, D-13  
DANIEL A. REGENSCHEIT, D-14  
RYAN LEVITT, D-15  
ALLISON MARGARET PENNINGS, D-16  
JOHN DOES 1-20, D-17-36**  
Defendants

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ALLIANCE DEFENSE FUND (AZ)  
BY: DALE SCHOWENGERDT  
Attorneys for Plaintiff  
15100 N. 90<sup>th</sup> Street  
Scottsdale, AZ 85260  
(480) 444-0020 (voice)  
(480) 444-0028 (fax)  
[dschowengerdt@telladf.org](mailto:dschowengerdt@telladf.org)

PALMER & ASSOCIATES, P.C.  
TRACIE DOMINIQUE PALMER (P 53555)  
Attorney for Defendants D-01 to D-05; D-07 to D-10; D-12 to D-36  
615 Griswold, Ste. 1300  
Detroit, MI 48226  
(313) 963-1100 (voice)

(313) 963-5221 (fax)  
[tpalmer@palmerlawpc.com](mailto:tpalmer@palmerlawpc.com)

BOHNHOFF & MAHONEY, PLC  
Michael S. Mahoney (P71428)  
Karl A. H. Bohnhoff (P10957)  
Attorneys for Defendant KELLER D-11  
912 Centennial Way, Suite 320  
Lansing, MI 48917  
(517) 323-4410 (voice)  
(517) 323-4503 (fax)  
[sfreed@bohnhofflawoffice.com](mailto:sfreed@bohnhofflawoffice.com)

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**MOTION OF COUNSEL**  
**TRACIE DOMINIQUE PALMER**  
**TO WITHDRAW AS COUNSEL OF RECORD**  
**FOR DEFENDANTS D-01 to D-05; D-07 to D-10; D-12 to D-36**  
**AND**  
**FOR STAY OF PROCEEDINGS FOR 60 DAYS**

NOW COMES Attorney TRACIE DOMINIQUE PALMER (P 53555), and for her Motion to Withdraw and for Stay of Proceedings, submits the following:

1. On or about **04/09/10**, current counsel for the above-referenced defendants was offered the position of Legal Director of the Friend of the Court for the Wayne County Circuit Court, Wayne County, Michigan.
2. Counsel Palmer subsequently accepted this position and begins work on **May 3, 2010**. She cannot continue to represent individual clients including, but not limited to, the Defendants in the instant pending case, and she must dissolve her law firm.
3. Counsel Palmer has been representing all of the above-referenced Defendants *pro bono* since the inception of her representation of them.
4. The Defendants represented by instant counsel cannot afford to retain counsel to represent them.

5. The Defendants are aware of current defense counsel's inability to continue her representation of them.
6. Current counsel has been actively trying to assist the Defendants in obtaining new counsel, but has been unsuccessful to date.
7. Defendants need more time to try and find new counsel that will be able to take over representing them in this ongoing litigation.
8. Plaintiff will not be prejudiced if this court grants the relief requested in the instant motion, including the request for a temporary stay of proceedings.
9. The referenced Defendants will be irreparably prejudiced if this Court fails to grant the requested relief.

**A STAY OF PROCEEDINGS IS NECESSARY  
TO ENABLE DEFENDANTS TO OBTAIN NEW COUNSEL**

10. Counsel Palmer notified Plaintiff's counsel via voicemail message on **04/20/10** of her acceptance of the employment with the State Court system and that she would be filing the instant Motion to withdraw and requesting a stay of proceedings.
11. Immediately thereafter, on **04/21/10**, Plaintiff's counsel filed the pending motion to compel discovery, which currently is scheduled for hearing on 05/11/2010 at 3:00 pm, before Magistrate Judge Joseph G. Scoville. The defense asserts this filing was done in bad faith.
12. The written interrogatories at issue were served in paper form, not electronically. This meant that defense counsel had to copy and mail all Thirteen (13) sets of interrogatories to each individual client for them to begin answering them.
13. The defendants represented by defense counsel Palmer currently reside in four (4) different states.

14. While the thirteen (13) individual defendants are still preparing their answers to the written interrogatories, they will need to be collected and typed before they can be served on Plaintiff's counsel.

15. The defense requires more time to do this, particularly now that they do not have the assistance of counsel.

16. Additionally, Plaintiff's counsel also had previously scheduled the depositions of all Defendants for the week of May 3, 2010.

17. At the time the depositions were scheduled, Plaintiff's counsel was aware that Counsel Palmer had a jury trial the week of April 26-April 30, 2010, which is why we could not schedule depositions that week to enable the Defendants to have counsel present at their depositions.

18. Plaintiff's counsel then scheduled the depositions of other witnesses who are not yet named as Defendants, but who very well may be added by Plaintiff as Defendants, for the week of April 26-April 30<sup>th</sup>, showing bad faith.

19. A stay of proceedings is necessary to protect the rights of the individual Defendants in the instant case. The defense requests that this stay include a stay of all proceedings, including discovery and the previously scheduled depositions.

WHEREFORE, for all of the foregoing reasons, Defendants request the following relief:

A. GRANT defense counsel's Motion to Withdraw as counsel of record for all Defendants for which she had previously filed her appearance as counsel of record;

B. ORDER that all proceedings, including discovery and depositions, be stayed for a period of Sixty (60) days to enable the Defendants to obtain new counsel;

C. GRANT any and all additional relief this Court finds is necessary and in good conscience, given the facts, circumstances and history of this case.

Respectfully submitted,  
/s/ Tracie Dominique Palmer  
TRACIE DOMINIQUE PALMER (P 53555)  
PALMER & ASSOCIATES, P.C.  
Attorney for listed Defendants  
615 Griswold, Ste. 1300  
Detroit, MI 48226  
(313) 963-1100 (voice)  
(313) 963-5221 (fax)  
[tpalmer@palmerlawpc.com](mailto:tpalmer@palmerlawpc.com)

**BRIEF IN SUPPORT OF MOTION**

NOW COMES Attorney TRACIE DOMINIQUE PALMER (P 53555), and in support of her Motion to Withdraw and for Stay of Proceedings, states that she relies upon all applicable case law, statutes, and court rules.

Respectfully submitted,  
/s/ Tracie Dominique Palmer  
TRACIE DOMINIQUE PALMER (P 53555)  
PALMER & ASSOCIATES, P.C.  
Attorney for listed Defendants  
615 Griswold, Ste. 1300  
Detroit, MI 48226  
(313) 963-1100 (voice)  
(313) 963-5221 (fax)  
[tpalmer@palmerlawpc.com](mailto:tpalmer@palmerlawpc.com)

**CERTIFICATE OF SERVICE**

I state that on this date I filed the above-annexed document AND PROPOSED ORDER using the W.D. Michigan CM/ECF system which shall cause electronic notice of said filing to be served upon counsel of record for Plaintiff, and all other attorneys and/or parties of record.

Respectfully submitted,  
/s/ Tracie Dominique Palmer  
TRACIE DOMINIQUE PALMER (P 53555)  
PALMER & ASSOCIATES, P.C.  
Attorney for listed Defendants  
615 Griswold, Ste. 1300  
Detroit, MI 48226  
(313) 963-1100 (voice)  
(313) 963-5221 (fax)  
[tpalmer@palmerlawpc.com](mailto:tpalmer@palmerlawpc.com)